

## FIVE-DAY WEEK FOR POSTMASTERS

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JULY 26, 1965.—Ordered to be printed

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Mr. YARBOROUGH, from the Committee on Post Office and Civil Service, submitted the following

## REPORT

[To accompany H.R. 1771]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 1771) to establish a 5-day workweek for postmasters, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

## PURPOSE

Section 1 of this bill would establish as congressional policy a 5-day workweek for postmasters in offices of the first, second, and third class. Section 2 would correct a technical error in the Government Employees Salary Reform Act of 1964 regarding the salary classification of postmasters in fourth-class offices.

## STATEMENT

The workweek of 40 hours spread over 5 days of the week has been characteristic of public and private employment in the United States since the 1930's. In the postal field service, employees have enjoyed the basic 40-hour workweek for more than 30 years. The concept has not applied, however, to postmasters. The nature of a postmastership demands that the postmaster be responsible for all functions of his office 7 days a week, 24 hours a day. Postal regulations require that postmasters in first-, second-, and third-class offices devote not less than 8 hours during the business day to the conduct of their offices.

For the purpose of computing a postmaster's daily compensation, a divisor of 312 is used, reflecting a 6-day week, 52 weeks a year. The computation formula for most other postal employees is a divisor of 260, reflecting a 5-day week, 52 weeks a year.

Present law and postal regulations permit postmasters to delegate their responsibilities to an assistant postmaster or some other supervisory employee so that the postmaster can take leave on Saturday. During the postmaster's absence in a first-class office, the assistant postmaster is responsible for the operations of the office. In most second-class offices and all third-class offices, there is no assistant postmaster or supervisor. In order to take leave, the postmaster must have clerical funds available to pay a regular clerk or substitute clerk to replace him. Because clerical funds are limited, very few postmasters in second- and third-class offices are able to take leave.

Postmasters in second- and third-class offices are generally on duty from early in the morning until after the close of business 6 days a week. It is extremely difficult to take off time for personal business, to get a haircut, attend to family matters, or do anything which can ordinarily be done only during the daylight hours of the weekday. The idea that a postmastership is a glamorous sinecure requiring little work and few hours is erroneous. In some small offices, the postmaster is assisted only by a substitute clerk who comes in for a few hours' work each day. These postmasters are not only responsible for all operations of the office but they serve as the Government's chief representative in the community, perform most if not all postal services, and in some cases are the janitors of the postal building.

Progressive reform of the postmasters' workweek is overdue. In the past 2 years, the Postmaster General has attempted to relieve some of the burden from postmasters. In August 1963, the Postmaster General permitted postmasters to take off a day during the week by the rearrangement of work schedules and the utilization of clerical allowances. A Saturday holiday can be arranged for personal reasons, but approval must be obtained in advance from the regional director. Unfortunately, scheduling a holiday depends almost entirely on the availability of clerical allowances. The program has not benefited many postmasters in second- and third-class offices.

The Postmaster General's efforts to provide a 5-day workweek have been severely limited by the availability of clerical allowances in small offices. Clerical allowances are determined for each office in each quarter of the year. If the volume of business in an office increases sharply or additional help is needed because of weather or the Christmas rush, it may be necessary to use all available clerical allowance, and no funds are left to pay a clerk to substitute for the postmaster on a Saturday or some other day which the postmaster might want or need to take off. Critical shortages can result. In fiscal year 1964, for instance, out of an appropriation of \$4,223,714,000 for postal operations, less than \$5 million remained on June 30, 1965. Five million dollars represents one-tenth of 1 percent of the appropriation and is sufficient to pay for less than one-half day's postal operation.

Adequate justification does not exist for continuing the 6-day week for postmasters in first-, second-, and third-class offices. Other postal employees and classified employees are scheduled for a 5-day week. The time has come to extend this employment benefit to postmasters.

H.R. 1771 will do this by amending the postal laws to stipulate that the Postmaster General shall schedule the 5-day week for postmasters in first-, second-, and third-class offices. In addition, the daily-rate computation formula is changed from 312 to 260. Employees

substituting for the postmaster in his absence will be paid at the daily rate which the position deserves.

#### POST OFFICE SERVICE

This legislation will not result in any post office being closed because of the 5-day workweek. The bill specifically provides that the legislation "shall not be held or considered to permit the closing of any post office on any weekday, Monday through Saturday, inclusive." Nor will this legislation result in an increase in salary. Postmasters are not entitled to overtime compensation, compensatory time off, holiday pay, or premium pay for nightwork. This bill has no effect upon that policy.

#### FOURTH-CLASS POST OFFICES

This legislation does not include postmasters at fourth-class offices. Very careful consideration has been given to the views of postmasters at these offices. It is the committee's opinion that the basic purpose of this legislation is to achieve a 40-hour week for postmasters. Postmasters at fourth-class offices are not now required to work more than 40 hours a week. Careful and thorough consideration has been given to the duties involved in postmasterships at fourth-class offices. The Government Employees Salary Reform Act of 1964 granted very substantial increases in the compensation of postmasters at these offices. That law increased the minimum pay for these postmasters from \$569 to \$1,313 a year.

Most fourth-class offices provide service equal to 5 working hours per day. Although a great many of these offices are actually open all day long, nothing prevents the postmaster from having a reasonable amount of time to attend to his personal business. In addition, it has been standard practice to permit postmasters in fourth-class offices to be absent occasionally on Saturday for personal reasons and have a paid replacement during the postmaster's absence. This absence is not charged to annual leave or sick leave. It was primarily to provide such an opportunity for postmasters in second- and third-class offices that this legislation was first introduced.

The committee is sympathetic to the problems of postmasters in fourth-class offices. It has viewed with concern the gradual decline in the number of fourth-class offices and the effect which this decline has on postal service in rural America. By extending the 5-day week to fourth-class offices, the cost of operations would increase by nearly \$6 million a year. Past experience has indicated that all too frequently, increased operations expense has led to the elimination of small offices. The committee believes that in the long run, the interests of the fourth-class office, its postmaster, and its patrons will best be served by continuing the present 6-day, 40-hour week.

#### REVENUE UNIT CHANGES IN FOURTH-CLASS POST OFFICES

Section 2 of the bill corrects an inequity arising from the use of the words "fiscal year" instead of "calendar year" in section 111(a) of the Government Employees Salary Reform Act of 1964 (Public Law 88-426, 39 U.S.C. 3544(b)).

In changing from the gross receipts to the revenue unit method of classifying post offices in 1964, Congress specified that postmasters at fourth-class offices which are relegated to a lower class will receive a basic salary at the lowest step which is higher than the basic salary received by the postmaster at the end of the preceding fiscal year. The inadvertent use of the word "fiscal" rather than "calendar" has resulted in some postmasters at fourth-class offices being paid at a rate based on salaries established by the Fourth-Class Office Schedule II of the Federal Salary Reform Act of 1962, which was in effect at the end of the 1964 fiscal year. The present fourth-class office schedule did not become effective until July 4, 1964, 4 days after the end of the 1964 fiscal year. Reclassifications in January 1965 cost some postmasters several hundred dollars a year in salary. Congress did not intend this result.

#### EFFECTIVE DATES

Section 3 establishes the effective dates of this act. The 5-day week for postmasters shall become effective on the first day of the first pay period beginning on or after January 1, 1966. The technical correction in 39 U.S.C. 3544(b) is made retroactive to the first pay period beginning after January 1, 1965.

#### COST

The Post Office Department estimates that the cost of H.R. 1771 will be about \$18.7 million annually. This cost results in part from paying the clerk-in-charge at the postmaster's daily rate and in part from changing the daily-rate divisor from 312 to 260. The cost of the correction of fourth-class offices' classification is estimated to be \$35,000.

#### PUBLIC HEARINGS

Public hearings were held on H.R. 1771 and S. 1668, a measure of similar purpose, before the Postal Affairs Subcommittee on July 9, 1965. All testimony favored enactment of a 5-day workweek.

#### AGENCY VIEWS

Following are letters from Postmaster General John A. Gronouski, John W. Macy, Jr., Chairman of the U.S. Civil Service Commission, and Phillip S. Hughes, Assistant Director for Legislative Reference of the Bureau of the Budget on S. 1668.

OFFICE OF THE POSTMASTER GENERAL,  
Washington, D.C., May 18, 1965.

Hon. A. S. MIKE MONRONEY,  
*Chairman, Committee on Post Office and Civil Service,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request for a report on S. 1668, a bill to establish a 5-day workweek for postmasters.

This bill proposes to set the workweek of postmasters at 5 days and base the daily rate of compensation on the annual rate of compensation as divided by 260. It would also permit the Postmaster General to extend the workweek to more than 5 days if necessary to maintain postal service in the public interest.



I fully support and concur in the basic principle contained in S. 1668 of a 5-day or 40-hour workweek for postmasters except, as indicated in the bill, when such a limited workweek would not be in the public interest.

Our support of this principle is wholly in consonance with other programs this administration has been actively pursuing to reorient the Postal Establishment along progressive and sound personnel practices. Recently we testified before a subcommittee of the House in favor of exempting the Post Office Department from the personnel ceilings imposed by the Whitten amendment. The purpose in that instance was to permit the Post Office Department to employ sufficient permanent career employees rather than to resort to the use of insecure temporaries. In addition, we now have under consideration by the Congress our request to increase our manpower complement to reduce the incidence of inefficient, excess overtime and to return thousands of our employees from a 50, 60, or 70-hour workweek to a sensible 40-hour workweek.

For the postmasters, we have also actively pursued many ways to improve their status:

1. All postmasters are granted up to 10 days per year for purposes of attendance at postmasters conventions, meetings, and seminars and certain national officers receive in excess of that.

2. Through our recommendations last year, Congress adopted a new concept to be used as one of the factors in ranking postmaster positions to the various salary levels—the “revenue unit” concept and the inclusion of money order fees as revenue. Congress approved that change in Public Law 88-426 and as a result during the January 1965 review 2,192 postmasters were changed to higher salary levels and classes.

3. Recognizing the need to provide many postmasters with relief on Saturdays we revised our administrative regulations in August 1963 to permit a large number of postmasters to take Saturdays off where they could rearrange the clerical allowance assigned to their office or in the absence of sufficient allowance to take Saturdays off for special reasons.

4. In our budget request for fiscal 1966 we requested an additional \$7 million to provide replacements for postmasters of second- and third-class offices for Saturday absences on the basis of one Saturday in four. These, of course, would be for Saturdays in addition to those now taken during vacation leaves. This was disallowed by the Appropriations Subcommittee of the House.

S. 1668 approaches the 5-day workweek from two directions: first, by providing a new divisor by which a day's pay may be calculated for postmasters—260 instead of 312, and secondly, by adding a new section to title 39, United States Code: 3577, in which the policy of a 5-day week is expressed. These clarifications and thoughts on both items are presented for your consideration:

1. The 260 base. Using the base of 260 has the advantage of (1) establishing, indirectly, the concept of a 5-day week since 260 is the product of multiplying 52 weeks times 5 whereas 312 is the product of multiplying 52 times 6 and (2) permitting replacement clerks to cover for absent postmasters at a daily salary rate of pay high enough to make that rate monetarily equitable in comparison to the pay of an ordinary clerk. This latter point has been particularly troublesome to clerks who have complained that the hourly rate they received as

"acting" postmaster was often less than their accustomed clerical hourly rate. We oppose this section being applicable to postmasters of fourth-class offices: (1) since their work schedule over any 5 days does not encompass 40 hours a week in most cases and not over 40 hours in any case, and (2) continuing the 312 divisor will provide a base for computing the salary of the leave replacement. This is because the postmaster of a fourth-class office will work and be paid for 6 days a week. His replacement should receive pay for each day he works on the same basis as the postmaster.

2. New section, 39 U.S.C. 3577. This new section has as its main purpose the establishment as public policy of the principle of a 5-day week for postmasters. In addition to the proviso now in the proposed section relating to the employment of a postmaster for more than 5 days a week in the public interest, I submit for your consideration these additional modifications:

(a) A preamble to the section which recognizes that postmasters as managers of independent Federal installations have a continuing responsibility for the effective operation and security of their installations around-the-clock, i.e., 7 days a week, 24 hours a day, and that material which follows relative to a 5-day week pertains to those duty hours when the postmaster's actual physical presence in his office is expected.

(b) Since postal installations operate 6 days a week, basic to the implementation of a 5-day week particularly in our small second and third-class offices is the availability of appropriated funds to permit the employment of clerical assistance and postmaster relief. The bill, therefore, should contain a proviso as to availability of funds.

(c) The principle of a 5-day workweek is meaningful only in terms of a corresponding requirement of a minimum number of hours of work to be performed during these 5 days. Accordingly, the bill should indicate that the 5-day workweek would be applicable in instances where there was sufficient work of a regular scheduled nature to require the postmaster's physical presence in his office of at least 40 hours. This would result in the exclusion of postmasters at fourth-class offices.

(d) This, with the above modification, will result in the employment of some postmasters on a 5-day week and some on a 6-day week. In order to provide equity as between these two groups I recommend that the bill provide for taking leave over 5 or 6 days a week depending on the postmaster's schedule.

We estimate the annual cost of this legislation to be \$24.5 million. If the fourth class is omitted the cost will be \$18.8 million. This substantial increase in costs would come at a time when the level of appropriations cannot provide for the extra cost, and when the postal deficit is of serious concern to the Department and to the President. Accordingly, the implementation of the provisions of S. 1668 if enacted may take place over a number of years in order to reduce the impact of the change in any single fiscal year.

The Bureau of the Budget advising with respect to the identical bill H.R. 1771 stated that from the standpoint of the administration's program there was no objection to the submission of that report to the committee.

Sincerely yours,

JOHN A. GRONOUSKI,  
*Postmaster General.*

U.S. CIVIL SERVICE COMMISSION,  
*Washington, D.C., June 18, 1965.*

Hon. A. S. MIKE MONRONEY,  
*Chairman, Committee on Post Office and Civil Service,*  
*U.S. Senate, New Senate Office Building.*

DEAR MR. CHAIRMAN: This is in further reply to your request of April 5, 1965, for the Commission's views and recommendations with respect to S. 1668, a bill to provide for a 5-day workweek for postmasters.

Most Federal employees, including the majority of those in the postal field service, have enjoyed a 5-day workweek for a number of years. Clearly, the 5-day workweek predominates in the United States, both in Government and in private employment. In view of this, we believe it would be both logical and fair to extend the 5-day workweek to postmasters.

It is to be noted, however, that the workloads of postmasters of fourth class offices require less than 40 hours' work in any 5-day period. In light of this, it would be inappropriate to include them within the coverage of S. 1668. Accordingly, we suggest that the bill be modified to exclude postmasters of fourth class offices.

Subject to the suggested modification, we favor the enactment of S. 1668.

The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report.

By direction of the Commission:

Sincerely yours,

JOHN W. MACY, Jr., *Chairman.*

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EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
*Washington, D.C., June 18, 1965.*

Hon. A. S. MIKE MONRONEY,  
*Chairman, Committee on Post Office and Civil Service,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to the committee's request for the views of the Bureau of the Budget on S. 1668, a bill to provide for a 5-day workweek for postmasters.

The Post Office Department supports the establishment of a 5-day workweek for postmasters and has been taking steps in that direction. In August 1963, the Department revised its administrative regulation to provide postmasters a 5-day week where this could be accomplished by rearranging the schedules of available personnel. The President's 1966 budget contained \$7 million for leave replacements as a first step toward providing a 5-day workweek for those postmasters in small second- and third-class post offices where the operation is virtually a one-man operation. If this bill is enacted, the Bureau of the Budget would recommend that transition to a 5-day workweek be scheduled over a number of years.

The Postmaster General, in a report he is submitting to your committee, recommends several amendments to the bill, the most important of which would retain fourth-class postmasters on a 6-day week because a 5-day schedule would not provide a 40-hour workweek.

This Office strongly supports the view of the Postmaster General that the bill should provide for a 5-day workweek only in instances where that will result in a 40-hour workweek.

If amended as proposed by the Postmaster General, the Bureau of the Budget would have no objection to the enactment of S. 1668.

Sincerely yours,

(Signed) PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

### CHAPTER 45 OF TITLE 39, UNITED STATES CODE

#### CHAPTER 45—COMPENSATION IN THE POSTAL FIELD SERVICE POSITIONS

##### Sec.

- 3501. Ranking of positions.
- 3502. Appeals to Civil Service Commission.
- 3511. Key positions.
- 3512. Positions in salary level 1.
- 3513. Positions in salary level 2.
- 3514. Positions in salary level 3.
- 3515. Positions in salary level 4.
- 3516. Positions in salary level 5.
- 3517. Positions in salary level 6.
- 3518. Positions in salary level 7.
- 3519. Positions in salary level 8.
- 3520. Positions in salary level 9.
- 3521. Positions in salary level 10.
- 3522. Positions in salary level 11.
- 3523. Positions in salary level 12.
- 3524. Positions in salary level 13.
- 3525. Positions in salary level 14.
- 3526. Positions in salary level 15.
- 3527. Positions in salary level 16.
- 3528. Positions in salary level 17.
- 3529. Positions in salary level 18.
- 3530. Positions in salary level 19.
- 3531. Positions in salary level 20.

#### COMPENSATION AND ALLOWANCES

- 3541. Pay periods and computation of rates.
- 3542. Postal Field Service Schedule.
- 3543. Rural Carrier Schedule.
- 3544. Fourth Class Office Schedule.

#### SALARY STEPS AND PROMOTIONS

- 3551. Appointments to positions in the postal field service.
- 3552. Automatic advancement by step-increases.
- 3553. Creditable service for advancement.
- 3554. Compensation of certain temporary employees
- 3555. Reduction in salary step.
- 3556. Automatic advancement withheld.
- 3557. Automatic advancement of substitute employee deferred.
- 3559. Promotions.
- 3560. Salary protection.



## HOURS OF WORK AND OVERTIME

3571. Maximum hours of work.  
 2572. Minimum hours of work for hourly rate employees.  
 3573. Compensatory time, overtime, and holidays.  
 3574. Night work.  
 3575. Exemptions.  
 3576. Holiday service of rural carriers and employees assigned to road duty.  
 3577. *Workweek of postmasters in post offices of the first, second, and third classes.*

SPECIAL PROVISIONS FOR POSTAL TRANSPORTATION AND MOTOR  
VEHICLE SERVICES

3581. Road duty employees.  
 3582. Time credit for delay to trains and highway post offices.

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## COMPENSATION AND ALLOWANCES

## § 3541. Pay periods and computation of rates

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(d) For purposes of computing rates of compensation other than annual rates the following rules govern:

(1) To compute an hourly rate of basic compensation for employees other than substitute employees, the annual rate of basic compensation shall be divided by 2,080.

(2) To compute an hourly rate of basic compensation for substitute employees, the annual rate of basic compensation shall be divided by 2,016.

(3) To compute the daily rate of compensation for postmasters *in fourth-class post offices*, postal inspectors, and rural carriers (other than substitute rural carriers), the annual rate of compensation shall be divided by 312.

(4) To compute the daily rate of basic compensation for annual rate employees other than postmasters, postal inspectors, and rural carriers, the hourly rate of basic compensation shall be multiplied by the number of daily hours of service required.

(5) To compute the daily rate of basic compensation for substitute rural carriers, the annual rate of compensation shall be divided by 304.

(6) *To compute the daily rate of basic compensation for postmasters (other than postmasters in fourth-class post offices), the annual rate of compensation shall be divided by 260.*

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**§ 3544. Fourth class office schedule**

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(b) The basic salary of postmasters in fourth-class post offices shall be readjusted for changes in revenue units at the start of the first pay period after January 1 of each year. When a post office is restored to a revenue unit category held by it prior to relegation to a lower revenue unit category, the postmaster's basic salary may be adjusted to the highest salary step held by him when the post office was in the higher revenue unit category. In all other cases, in adjusting a postmaster's basic salary under this section, the basic salary shall be fixed at the lowest step which is higher than the basic salary received by the postmaster at the end of the preceding [fiscal] calendar year. If there is no such step the basic salary shall be fixed at the highest step for the adjusted revenue units of the office. Each increase in basic salary because of change in revenue units shall be deemed the equivalent of a step increase under section 3552 of this title and the waiting period, for purposes of advancement to the next step, shall begin on the date of adjustment.

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## INDIVIDUAL VIEWS OF MR. HARTKE

I favor including postmasters at fourth-class offices in the provisions of this bill. All postmasters should derive equal benefit of a 5-day week.

Postmasters in fourth-class offices are the backbone of mail service in rural America. Operating in country stores, gasoline stations, and even in their private homes, they provide mail service in 9,000 hamlets and crossroads over the Nation. Unlike other classes of offices, the fourth-class office is open for business from early in the morning until night. They are the center of communities which would otherwise have little or no identity. Despite their valued service, they have been the forgotten employee of the Federal Government. Until Congress enacted substantial increases in their salaries in 1964, they were the lowest paid Federal employee. I see no adequate justification for now turning around and denying them an employment privilege which all other postmasters—about 25,000—will enjoy.

The Post Office Department's opposition to this legislation seems to be based on two principles. First, that the principle of the 40-hour workweek will be violated if postmasters in fourth-class offices are given a 5-day week; and second, that the work schedule of these postmasters is such that they can take off time during the week to attend to personal business. I agree with neither of these propositions. The 40-hour workweek in fourth-class offices is fictitious. The Department determines the workweek of fourth-class offices by equating postal revenue with the amount of time it takes to operate the offices. The largest fourth-class office is said to operate 6 hours and 40 minutes a day, the smallest only 2 hours a day. I think it is utterly impossible to prove these propositions. The fact is that fourth-class offices are open for business at least 6 days a week from the time the postmaster opens his door until he goes home. Since his postal classification depends entirely on the annual revenue of his office, it is in his interest to stay open as many hours as he can. He may not be selling stamps or delivering mail 10 hours a day, but he is just as available for those services as the postmaster of a second- or third-class office. The difference between a large fourth-class office and a small third-class office is 1 cent in annual revenue. I consider it wholly unrealistic to put the one postmaster on a 5-day 40 hour week and the other on a 6-day week, which is determined by a magic mathematical formula to be 40 hours. The postmaster at the small third-class office can, under H.R. 1771, have a replacement every Saturday, while the postmaster at a large fourth-class office will continue to be in the office 6 days a week. I am convinced that regardless of the Department's revenue and service calculations, his availability for postal service will exceed the 40-hour workweek.

The second argument presented by the Department is that postmasters in fourth-class offices have adequate opportunity to attend to their personal business during the week. I contend that of all classes

of postmasters, they have the least opportunity. The postmasters in first-class offices have an assistant postmaster or some other employee who can substitute for them on Saturday or for a few hours on a weekday. Under H.R. 1771, postmasters in second- and third-class offices will have the same relief guaranteed them. But the postmasters in fourth-class offices, who are generally isolated from large communities, will not have such relief. He will continue to be tied to his office not only for mail service, meeting the mail trains, star route contractors, and rural carriers, but also because his workweek will continue, by law, to be a 6-day week. The fourth-class postmaster is the one postmaster who needs guaranteed relief. If he takes off during the day to go to some nearby town or city—as the present 40-hour regulations allow him to do—he closes the office and loses any sales which might be made during his absence. I do not think postal statutes or regulations should require a fourth-class office to lose revenue so that the postmaster can be absent during the day or on Saturday.

Finally, it is simply inequitable to provide a benefit for 25,000 postmasters and exclude 9,000 others. Other Federal employees are not so treated. It is an unnecessary departure from present practices and general Government policy. I see no adequate justification; I do not see enough difference between the third-class office and the fourth-class office. I think they should all be treated alike.

VANCE HARTKE.

